

REMARKS

This paper is in response to the non-final official action of July 16, 2008, wherein (a) claims 10-12 were pending, (b) claims 10-12 were objected to on formal grounds, (c) claim 1 (sic – presumably claim 10, see page 3 of the official action) was rejected under obviousness-type double patenting over co-owned patent application serial no. 10/524,063, (d) claims 10-12 were rejected as indefinite under 35 U.S.C. § 112, 2nd paragraph, (e) claim 12 was rejected as being directed to non-statutory subject matter under 35 U.S.C. § 101, and (c) claims 10-12 were rejected under 35 USC 103(a) as obvious over Kadaba US 6,539,360 B1 (“Kadaba”) in view of Reed, et al. US 2002/0095454 A1 (“Reed”) and further in view of Weiser WO 02/29731 (“Weiser”).

Applicants respectfully traverse the rejections and request that they be withdrawn.

Claim Objections

Applicants respectfully submit that the objections to claims 10-12 are moot in view of the amendments to claims 10 and 12 presented herein. Applicants request withdrawal of the objection to claims 10-12.

Double Patenting Rejection

Applicants respectfully submit that the obviousness-type double patenting rejection is moot in view of the terminal disclaimer submitted herewith. Applicants request withdrawal of the double patenting rejection.

35 U.S.C § 112 Rejections

Applicants respectfully traverse the rejection of claims 10-12 as indefinite and request that the rejections be withdrawn.

Claim 10 now recites a method for transmission comprising, in part, transmitting data from at least one database to a central sending component “upon request for the transmission of notifications.” Thus, there is now proper antecedent basis for the phrase “of the requests” in line 11.

The receiving device of claims 10 and 12 may be any receiving device capable of receiving data transmitted by a communication device. The receiving device may receive the data wirelessly (e.g., a mobile phone, a persona data assistant (PDA), etc.) or via a wired connection (e.g., a remote computer). Regardless, one of ordinary skill in the art is fully capable of determining which particular receiving device is appropriate for the claimed method or system based on particular implementation needs of the method or system. Applicants respectfully submit that the receiving device recited in claims 10 and 12 is clearly understood by one of ordinary skill in the art.

Claim 10 recites that the information for creating notification jobs “depends on events within the parcel compartment system.” This claim language is clear and unambiguous. The information for creating notification jobs relates directly to a particular event in the parcel compartment system. For example, when a mailpiece is dropped off in a compartment of the electronic parcel compartment system, such information is automatically transmitted to the external interface. *See* the instant application, page 3, lines 10-15. Applicants respectfully submit that the relationship between the information for creating notification jobs and the events in the electronic parcel compartment system is clear.

Claim 10 recites “events triggering defined, definable or variable processing steps by the notification component.” Such processing steps are explained in the application at page 12, line 23 to page 13, line 10. For example, events such as customer registration, change of customer master data, parcel delivery and/ or pick up, create one or more push-oriented notifications (e.g., SMSs), and the method or system sends the notifications via a suitable interface, such as an SMS gateway. The events may be categorized in classes and each event may trigger a previously defined or definable and optionally variable processing step by the notification component. For example, an external event may be the placement of a parcel into an electronic parcel compartment system that is part of a logistic system. A defined step may be the sending of an SMS that the event has taken place. A variable step may be the optional monitoring of the parcel pick up and optionally sending

subsequent notifications. Thus, the triggering events and their relationship to the processing steps are clearly defined.

Claim 12 recites transmitting notification information to a receiving device. One of ordinary skill in the art would realize that the transmission could be accomplished in many different ways. For example, the information could be transmitted wirelessly (as suggested by the recitation of an SMS gateway). Alternatively, the information could be transmitted via a wired connection under any variety of protocols. Applicants respectfully submit that the relationship between the communication interface and the receiving device is clear to one of ordinary skill in the art in the context of the claims and specification.

Claim 12 now clearly recites a device having one database (emphasis supplied). Thus, claim 12 is clear with respect to which system has the one database.

Similar to claim 10, Applicants respectfully submit that the language of claim 12 is clear and unambiguous. Claim 12 recites, in part, that the notification requests are “based on an event in the electronic parcel compartment system.” The relationship between the notification request and the event within the parcel compartment system is explained in the specification at page 3, lines 10-15. For example, when a mailpiece is dropped off in a compartment of the electronic parcel compartment system, such information is automatically transmitted to the external interface. Thus, claim 12 is clear with respect to the relationship between the notification request and the event in the parcel compartment system especially in the context of the specification.

35 U.S.C. § 101 Rejection

Applicant respectfully traverses the rejection of claim 12 as directed to non-statutory subject matter. Claim 12 now recites displaying the notification on the receiving device. Applicants respectfully submit that the display of information on a receiving device accomplishes a “useful, concrete and tangible result.” See *State Street*, 149 F.3d at 1373-74. Thus, claim 12 is now directed to statutory subject matter. Applicants respectfully request withdrawal of the rejection of claim 12.

35 U.S.C. § 103 Rejections

Claim 10 is directed to a method for the transmission of notifications to users of an electronic parcel compartment system within a postal shipping system, wherein information for creating notification jobs depends on events within an electronic parcel compartment system.

Similarly, claim 12 recites a device for the transmissions of notifications to users of an electronic parcel compartment system within a postal shipping system, wherein notification requests are based on an event in the electronic parcel compartment system.

This combination of an electronic parcel compartment system and SMS based notification delivery provide a high degree of flexibility to the users of the system. Electronic parcel compartment systems are usually available 24 hours a day. The claimed notification system informs a recipient of a shipment anywhere at any time via SMS transmission to a portable device. Thus, the claimed system and device eliminate the need of prior art systems to actively check email or delivery status via the internet. .

As conceded in the official action, Kabada fails to disclose or suggest categorizing the events into classes and transmitting notifications to a user for whom the event is pertinent. Rather, the official action relies on Reed as disclosing a categorization of events. However, neither Kabada nor Reed disclose or suggest categorizing events at an electronic parcel compartment system. In fact, neither Kabada nor Reed disclose or suggest an electronic parcel compartment system of any sort.

An electronic parcel compartment system is characterized by a plurality of discrete compartments in which parcels can be stored for individual pick up. The official action alleges that the “PLD information and pre-alert files” depend on events within an electronic parcel compartment system. See the official action at page 9. Applicants strongly disagree. The PLD information and pre-alert files of Kabada are based on package information in a typical distribution network. Such information and pre-alert files simply alert carrier personnel or users that a certain package may

require special handling instructions. There is absolutely no mention or suggestion in Kabada of an electronic parcel compartment system, let alone transmitting notifications based on events in a parcel compartment system.

Moreover, one of ordinary skill in the art would not modify Kabada to include an electronic parcel compartment system because Kabada is concerned with packages having special handling instructions. Examples of special handling instructions are “holding a package for pickup and specially handling a biological sample.” See Kabada col. 7, lines 21-22. One of ordinary skill in the art would not leave a package having special handling instructions unattended in a compartment of an electronic parcel compartment system because the intent of such special handling instructions is to give the particular package special attention. Thus, Kabada cannot even recognize the problem of notifying a user when a package has been deposited in a discrete compartment of an electronic parcel compartment system. For this reason, Applicants respectfully submit that the rejection of claims 10-12 based in part on Kabada disclosing an electronic parcel compartment system are improper and should be withdrawn.

Neither Reed nor Weiser disclose or suggest electronic parcel compartment systems, nor were Reed or Weiser cited as disclosing such elements.

Because Kabada, Reed and Weiser all fail to disclose or suggest notification jobs that are based on events within the electronic parcel compartment system, none of claims 10-12 can be rendered obvious by any combination thereof. Applicants respectfully request withdrawal of the rejection of claims 10-12.

Conclusion

For all the foregoing reasons, it is submitted that the application is of proper form and scope for allowance, and such action is solicited. Should the examiner wish to discuss the foregoing, or any matter of form in an effort to advance the application toward allowance, she is urged to telephone the undersigned at the indicated number.

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Respectfully submitted,

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